

on any population subgroups in our state. Under the amendment, the annual report produced by the Secretary of State must at least address:

- the number of voting eligible residents that have and do not have a form of ID required under SB 14;
- the number of voting eligible residents with a required form of ID that fails to comply with SB 14 only because the address on the ID is not current, the last name on the ID does not match current records (maiden name), or the ID is expired;
- the average wait time, by voting precinct, at the nearest DPS licensing facility that provides drivers licenses or personal IDs; and
- an analysis, by subgroup, of whether the changes made in SB 14 would produce a disparate impact on **women, the elderly, persons with disabilities, students, or racial/ethnic minorities.**

Letters

- Individually, you sent two letters to the DOJ requesting that they deny preclearance for SB 14. Both are appended to the end of this memo.
- The first letter, dated January 23, 2012, was sent immediately after the Secretary of State's final data submission to the DOJ.
 - Key portions:

"Throughout the debate over Senate Bill 14, my colleagues and I were repeatedly told that we should 'ask the Secretary of State' for information on the bill's potential impact on our constituents. Unfortunately, it turns out that the Secretary of State either never had access to much of that data, or the data that it did have

access to was 'highly misleading,' 'inaccurate,' and 'unreliable,' as is freely admitted in the State's letter."

...

"Therefore, given the State's failure to prove that Senate Bill 14 has neither the purpose nor the effect of denying or abridging the right to vote on account of race, color, or membership in a language minority group, I respectfully request that the DOJ deny preclearance of Senate Bill 14."

- The second letter, dated March 8, 2012, was sent after the *Houston Chronicle* article ran pointing out that "with as many as 18 percent of all registered voters across Texas apparently lacking state government-issued photo IDs to match their voter registration cards," implementation of Senate Bill 14 could have widespread negative consequences for the upcoming election and beyond.

- Key portions:

"An article appearing in today's *Houston Chronicle*, 'Texas' contested voter ID law could shave voter rolls,' points out that 'with as many as 18 percent of all registered voters across Texas apparently lacking state government-issued photo IDs to match their voter registration cards,' implementation of Senate Bill 14 could have widespread negative consequences for the upcoming election and beyond. The article is attached for your review. It goes on to state that Senate Bill 14 will most heavily impact 20 of Texas' Hispanic majority counties, although 19 percent of Harris County, which constitutes the majority of my Senate district, also may lack the required photo identification.

Information on SB 14:

Overview

The Texas Legislature passed a law creating a photo identification requirement for voter qualification in all elections in Texas beginning January 1, 2012. Often referred to as "voter ID," the new law requires all voters to present one of the following forms of photo identification in order to be eligible to vote:

- Driver's license, election identification certificate, personal identification card, or concealed handgun license issued by the Texas Department of Public Safety;
- U.S. military identification card containing the person's photograph;
- U.S. citizenship certificate containing the person's photograph; or
- U.S. passport.

With the exception of the U.S. citizenship certificate, all of the forms of identification must be current or have expired no more than 60 days before being presented at the polling place.

Exceptions

There are very limited exceptions to the photo identification requirement:

- *Disabilities:* voters with a disability may apply with the county voter registrar for an exemption. Those who obtain a disability exemption will be allowed to vote by presenting a voter registration certificate reflecting the exemption.
- *Religious objection or natural disaster:* other exemptions include voters who have a consistent religious objection to